

White House for you to say it has to be today in your view, would it?

A: Well, my recollection of this is look, I didn't want to give him an extension. The importance of this promptly stuff is because I wasn't giving him anything and in my recollection that's kind of – it's not easy because as I remember, and I don't remember this as direct or out of the transcript or what – he's saying give me another bite and another chance to bring my clients in, and I'm saying it's not very easy; I'm saying no.

Q: Mr. Babbitt, a moment ago you said if you're trying to get someone off the phone, you're not going to say who is on the other line. You're just going to say I've got another call.

A: Yes.

Q: But here you're saying Harold Ickes has gotten somehow in touch with you and that is driving the reason why you can't grant Mr. Eckstein's request.

A: Yes.

Q: If you would say Mr. Ickes in particular, why would you not say "he told me" or "today"? Why would those details of particularity be inconsistent with this white lie that you intended –

A: Because I just – I know what I didn't say.⁷⁰⁹

⁷⁰⁹*Id.* at 136-39. Babbitt offered a further explanation for the divergence between his recollection and Eckstein's:

Q: Do you have any belief, knowledge, understanding that Paul Eckstein has wrongly testified about any of the particulars of his dealings with the Department of Interior and yourself on the Hudson casino application?

A: Well, I can tell you that we have a difference of recollection on the Ickes issues that we've discussed.

Q: Specifically, Mr. Babbitt, do you believe that you differ on that because one of you is right and one of you is wrong, or do you believe that there is a failure of memory perhaps on one or both sides of this equation?

(continued...)